

**Categorical Exclusion Documentation Format for Actions Other Than Hazardous Fuels
and Fire Rehabilitation Actions**

**Horseshoe Allotment Fence Modification Project
DOI-BLM-AZ-P030-2011-004-CX**

A. Background

BLM Office: *Agua Fria National Monument (AFNM)*

Lease/Serial/Case File No.: N/A

Proposed Action Title/Type: **Horseshoe Allotment Fence Modification Project**

Location of Proposed Action: **Agua Fria National Monument – Horseshoe Allotment:
T10N, R3E, T9.5, R3E. Gila and Salt River Meridian.**

Description of Proposed Action:

The proposed action involves modification of existing allotment boundary fences within AFNM. Currently, these fences are not “wildlife-friendly” and thereby do not meet Bureau of Land Management (BLM) fencing standards outlined in BLM Manual H-1741-1. Existing fences proposed for modification consist of four or more parallel strands of barbed wire. Segments of fencing previously outfitted with smooth wire at the bottom do not meet “wildlife-friendly” specifications, recommended at heights of at least 16-18 inches; existing fencing outfitted with smooth wire were installed at approximately 9 inches above ground, well below the minimum recommended height recommendation. Moreover, the bottom wire is attached via multiple fence stays, which is not recommended by BLM wildlife staff; the current number of existing fence stays exceeds what is recommended in BLM fencing guidelines. At present, the configuration of the existing allotment fences impedes the ingress and egress of wildlife species, particularly pronghorn antelope.

Fence modification activities shall be focused in the following areas: Perry Tank, Copper Tank, Double Tank, and the Lousy Canyon drainage. Fencing identified for modification in the aforementioned areas comprise approximately 8 miles. BLM staff, in partnership with staff from Arizona Game and Fish (AZGFD) shall lead groups of volunteers in modification efforts; these efforts include removing excess fence stays and wires, as well as replacing top and bottom strands of barbed wire with smooth wire. AZGFD staff will shuttle volunteers to work sites to minimize vehicular traffic. Fence materials shall be transported from existing roads to project sites by foot and installed by groups not to exceed 25 individuals to minimize impact to any existing cultural resources. Fence modification activities shall occur from April 29th, 2011 through May 1st, 2011.

B. Land Use Plan Conformance

Land Use Plan (LUP) Name: **Agua Fria National Monument Record of Decision and Approved Resource Management Plan**

Date Approved/Amended: **4/22/2010**

☒ The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decision(s):

WF-1, Page 15: Maintain, restore, or enhance the diversity, distribution, and viability of populations of native wildlife, and maintain, restore, or enhance overall ecosystem health. Discretionary activities will be managed to ensure connectivity of habitats and maintenance of unrestricted wildlife movement.

WF-3, Page 15: Manage habitat to avoid fragmentation and provide conditions that promote natural movement and fawning behavior of pronghorn.

☒ The proposed action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decision(s) (objectives, terms, and conditions):

WF-4, Page 15: Restore and maintain habitat of suitable quality and quantity to promote long-term sustainability of a viable pronghorn population.

WF-10, Page 16: Identify, minimize, and mitigate for wildlife habitat degradation, loss, and fragmentation to achieve Desired Future Conditions.

C: Compliance with NEPA:

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 2, Appendix 1, or 516 DM 11.5: **Appendix 4, BLM Categorical Exclusions: A. Fish and Wildlife;** Modification of existing fences to provide improved wildlife ingress and egress.

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed, and none of the extraordinary circumstances described in 516 DM 2 or 516 DM 11.5 apply.

Appendix 4, BLM Categorical Exclusions: A. Fish and Wildlife; 1. Modification of existing fences to provide improved wildlife ingress and egress.

I have considered the potential impacts on fence modification activities on biological, cultural, and range resource;

I have considered the impacts of fence modification activities on biological, cultural, and range resources. Human activities may temporally displace wildlife. However, fence modification activities are near existing roads and separated by approximately one to three miles. The fence modification project will also only last one day and will facilitate wildlife movements, particularly for pronghorn antelope and deer. Since motorized travel will not be permitted, off-highway vehicle damage to potential cultural sites will be mitigated. This project is spearheaded by the Arizona Game and Fish Department which is the current owner of the Horseshoe Ranch base property for the Horseshoe Allotment, which is currently in non-use status.

D: Signature

Authorizing Official: Signed by Jayson Barangan Date: 4/22/2011
Jayson Barangan
Acting Agua Fria National Monument Manager

Contact Person

For additional information concerning this CX review, contact:
Paul Sitzmann

Note: A separate decision document must be prepared for the action covered by the CX. See Attachment 2.

BLM Categorical Exclusions: Extraordinary Circumstances¹
Attachment 1

The action has been reviewed to determine if any of the extraordinary circumstances (43 CFR 46.215) apply. The project would:		
1. Have significant impacts on public health or safety		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: The modification of existing fences to conform to BLM fencing standards will not impact public health or safety. The area of proposed effect will be limited to existing fences. Actions will only serve to make existing fences wildlife friendly by replacing top and bottom barbed wire with smooth wire and to reduce the amount of stays. No new fences or other structures will be constructed.
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness or wilderness study areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds (Executive Order 13186); and other ecologically significant or critical areas?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: Although the area of proposed effect is within the Agua Fria National Monument, the fence modification project will benefit the objects of the Monument by reducing the impact of existing fences. Wildlife may be temporally displaced during modification activities which will only last one day. However, these impacts are not significant and will greatly facilitate wildlife ingress and egress. Injury from barbed wire as a result of fence crossing will be reduced if not eliminated.
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)]?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: Effects of fence modification are well known and not controversial.
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: No new construction will occur during fence modification activities. No new environmental effects will occur as a result of project implementation. This project will only serve to improve wildlife habitat.
5. Establish a precedent for future action, or represent a decision in principle about future actions, with potentially significant environmental effects?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: Fence modification projects are common, especially in areas where there is potential to improve wildlife ingress and egress.

¹ If an action has any of these impacts, you must conduct NEPA analysis.

6. Have a direct relationship to other actions with individually insignificant, but cumulatively significant, environmental effects?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: This project will occur over one day and be limited to already existing fences. Wildlife movement corridors will be improved and no cumulative effects are expected to occur.
7. Have significant impacts on properties listed or eligible for listing, on the National Register of Historic Places as determined by either the Bureau or office?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: Activities are limited to non-motorized travel to fences that have already been installed. Fence installation activities to be conducted will be conducted by hand without the use of mechanized equipment and access will be via pedestrian travel which will cause no surface disturbance. No known cultural resources will be impacted by this project.
8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: No species listed, or proposed to be listed species occur in the area of proposed effect. Fence modification activities will not occur within any designated Critical Habitat.
9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: No violation of Federal, State, local, or tribal laws will occur.
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: The project areas are located in remote areas within AFNM and will not impact low income or minority populations. To date, modification of existing fences to make them wildlife friendly has not been known to have a disproportionately high and adverse effect on low income or minority populations.
11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners, or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007)?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: No new fences will be built thus not altering access to and ceremonial use of Indian sacred sites on Federal lands. No known cultural sites are present in the area of proposed effect.
12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area, or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112)?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: No ground disturbances will occur; thus, no disturbed soil will be made available to noxious weed colonization. Vehicle travel will be limited to designated trails/roads and will not contribute to the introduction, continued existence, or spread of noxious weeds.

Approval and Decision
Attachment 2

Compliance and assignment of responsibility: Paul Sitzmann

Monitoring and assignment of responsibility: Paul Sitzmann

Review: *We have determined that the proposal is in accordance with the categorical exclusion criteria and that it would not involve any significant environmental effects. Therefore, it is categorically excluded from further environmental review.*

Prepared by: Signed by Paul Sitzmann **Date:** 4 / 2 2 / 2 0 1 1

Paul Sitzmann
Project Lead

Reviewed by: Signed by Leah Baker **Date:** 4 / 2 2 / 2 0 1 1

Leah Baker
Planning & Environmental Coordinator

Reviewed by: Signed by Jayson Barangan **Date:** 4 / 2 2 / 2 0 1 1

Jayson Barangan
Manager

Project Description:

The proposed action involves modification of existing allotment boundary fences within AFNM, of which are not “wildlife-friendly” and thereby do not meet Bureau of Land Management (BLM) fencing standards outlined in BLM Manual H-1741-1. Existing fences proposed for modification consist of four or more parallel strands of barbed wire. Segments of fencing previously outfitted with smooth wire at the bottom do not meet “wildlife-friendly” specifications, recommended at heights of at least 16-18 inches; existing fencing outfitted with smooth wire were installed at approximately 9 inches above ground, well below the minimum recommended height recommendation. Moreover, the bottom wire is attached via multiple fence stays, which is not recommended by BLM wildlife staff; the current number of existing fence stays exceeds what is recommended in BLM fencing guidelines. At present, the configuration of the existing allotment fences impedes the ingress and egress of wildlife species, particularly pronghorn antelope. Fence modification activities shall be focused in the following areas: Perry Tank, Copper Tank, Double Tank, and the Lousy Canyon drainage. Fencing identified for modification in the aforementioned areas comprise approximately 8 miles. BLM staff, in partnership with staff from Arizona Game and Fish (AZGFD) shall lead groups of volunteers in modification efforts; these efforts include removing excess fence stays and wires, as well as replacing top and bottom strands of barbed wire with smooth wire. AZGFD staff will shuttle volunteers to work sites to minimize vehicular traffic. Fence materials will be transported from existing roads to project sites by foot and installed by groups not to exceed 25 individuals to minimize impact to any existing cultural resources.

Decision: Based on a review of the project described above and field office staff recommendations, I have determined that the project is in conformance with the land use plan and is categorically excluded from further environmental analysis. It is my decision to approve the action as proposed, with the following stipulations (if applicable).

This decision may be appealed to the Interior Board of Land Appeals (IBLA), Office of the Secretary, in accordance with the regulations contained in 43 CFR Part 4. Public notification of this decision will be considered to have occurred on December 22, 2010. Within 30 days of this decision, a notice of appeal must be filed in the office of the Authorized Officer at 21605 North 7th Ave, Phoenix, Arizona, 85027. If a statement of reasons for the appeal is not included with the notice, it must be filed with the IBLA, Office of Hearings and Appeals, U.S. Department of the Interior, 801 North Quincy St., Suite 300, Arlington, VA, 22203 within 30 days after the notice of appeal is filed with the Authorized Officer.

If you wish to file a petition for stay pursuant to 43 CFR Par 4.21(b), the petition for stay should accompany your notice of appeal and shall show sufficient justification based on the following standards:

- 1. The relative harm to the parties if the stay is granted or denied,*
- 2. The likelihood of the appellant’s success on the merits,*
- 3. The likelihood of irreparable harm to the appellant or resources if the stay is not granted,*
- 4. Whether the public interest favors granting the stay.*

If a petition for stay is submitted with the notice of appeal, a copy of the notice of appeal and petition for stay must be served on each party named in the decision from which the appeal is taken, and with the IBLA at the same time it is filed with the Authorized Officer. A copy of the notice of appeal, any statement of reasons, and all pertinent documents must be served on each adverse party named in the decision from which the appeal is taken to:

Field Solicitor, U.S. Department of the Interior, 401 West Washington St., Suite 404, Phoenix, Arizona, 85003 no later than 15 days after filing the document with the Authorized Officer and/or IBLA.

Approved By: Signed by Jayson Barangan **Date:** 4/22/2011
Jayson Barangan